

Application No.: 10/768,260

**REMARKS/ARGUMENTS*****Status of the Claims***

Claims 1-29 have been cancelled. New claims 30-32 have been added. Support for this amendment can be found through the specification and more specifically in page 14, line 28; and Figure 5B. No new matter has been added with this amendment.

***Statutory Double Patenting Rejection***

Claims 1-29 are rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-29 of prior U.S. Patent No. 6,687,692. Applicants agree with the Examiner in the rejection. Therefore, new claims 30-32 have been added. Please cancel claims 1-29.

***Obviousness Type Double Patenting Rejection***

Claims 1-29 are rejected the doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of U.S. Patent No. 6,185,561. In view of the present amendment to the claims, Applicants respectfully request withdrawal of the Obviousness Type Double Patenting Rejection.

**CONCLUSION**

For these reasons, Applicants believe all pending claims are now in condition for allowance. If the Examiner has any questions pertaining to this application or feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 731-5000.

Application No.: 10/768,260

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 01-0431.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

By Leticia R. Block  
Leticia R. Block Reg. No. 50,167

Date: Dec. 7, 2005

Customer No.: 22886  
Legal Department  
Affymetrix, Inc.  
3380 Central Expressway  
Santa Clara, CA 95051  
Tel: 408/731-5000  
Fax: 408/731-5392